

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STEPHEN GANNON, *individually and on behalf of all  
others similarly situated,*

Plaintiff,

-v.-

JOHN DOE 1-X, *persons yet unknown, limited liability  
companies, Partnerships Corporations 1-X, entities yet  
unknown,*

Defendant,

75 & 81 ORCHARD ASSOCIATES LLC,

Defendant, Cross-Claimant,  
and Cross-Defendant,

-v.-

NO IDOLS NYC LLC,

Defendant, Cross-Defendant,  
and Cross-Claimant.

22 Civ. 1678 (KPF)

ORDER OF  
DISCONTINUANCE

KATHERINE POLK FAILLA, District Judge:

Pursuant to the Final Report of Mediator filed on November 9, 2022,  
court-ordered mediation in this case was held and agreement was reached on  
all issues. Accordingly, it is hereby:

ORDERED that this action be conditionally discontinued without  
prejudice and without costs; provided, however, that within thirty (30) days of  
the date of this Order, the parties may submit to the Court their own  
Stipulation of Settlement and Dismissal for the Court to So Order. Otherwise,  
within such time Plaintiff may apply by letter for restoration of the action to the  
active calendar of this Court in the event that the settlement is not

consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar within such 30-day period.

The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

SO ORDERED.

Dated: November 10, 2022  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

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KATHERINE POLK FAILLA  
United States District Judge